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Dated: November 29, 2004 Signature: \_\_\_\_\_

(Jan R. Blum)

Docket No.: M1912.0018

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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DEC 03 2004

Technology Center 2600

In re Patent Application of:  
Hiroshi Furukawa et al.

Application No.: 09/699,648

Confirmation No.: 2661

Filed: October 31, 2000

Art Unit: 2661

For: SPREAD CODE ALLOCATION METHOD  
AND BASE STATION IN CDMA  
CELLULAR

Examiner: S. Blount

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated June 29, 2004 (Paper No. 9),  
please amend the above-identified U.S. patent application as follows:

**FEE CALCULATION**

Any additional fee required has been calculated as follows:

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	Additional Fee
Total		- 39* =		X	
Independent		- 3** =		X	
First presentation of Multiple Dependent Claim(s) (if applicable)					
<b>TOTAL</b>					

\*not less than 20

\*\* not less than 3

No additional fee is required.

In the event a fee is required or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-2215.

### CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 CFR 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 CFR 1.135. The fee under 37 CFR 1.17 should be charged to our Deposit Account No. 50-2215.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 21 of this paper.